

1 **LOREN S. YOUNG, ESQ.**

Nevada Bar No. 7567

2 **LINCOLN, GUSTAFSON & CERCOS, LLP**

ATTORNEYS AT LAW

3 3960 Howard Hughes Parkway, Suite 200

Las Vegas, Nevada 89169

4 Telephone: (702) 257-1997

Facsimile: (702) 257-2203

5 lyoung@lgclawoffice.com

6 Attorneys for Defendants, JUDITH MARIE NELSON
and BASIN TREE SERVICE & PEST CONTROL

8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10
11 VERTIS DILL, JR., individually; VERTIS
12 DILL, JR., as the Special Administrator for the
Estate of MAXINE DILL,

13 Plaintiffs,

14 v.

15 JUDITH MARIE NELSON; BASIN TREE
16 SERVICE & PEST CONTROL, INC.; and,
DOES 1-50, inclusive,

17 Defendants.

CASE NO:

**DECLARATION OF JOSEPH
WHALEN IN SUPPORT OF
DEFENDANT BASIN TREE SERVICE
& PEST CONTROL, INC.'S NOTICE
OF REMOVAL OF ACTION UNDER
28 U.S.C. § 1441(b) (DIVERSITY)**


18
19 I, Joseph Whalen, declare as follows:

- 20 1. At the time of this incident, I was the Vice-President for Basin Tree Service & Pest
21 Control, Inc. I am personally familiar with the within stated facts and would and could
22 testify based upon personal knowledge of the same, and as to those facts stated on
23 information and belief, I believe them to be true.
- 24 2. At all times material hereto, Basin Tree Service & Pest Control, Inc. was and is
25 incorporated in the state of Washington.
- 26 3. At all times material hereto, Basin Tree Service & Pest Control, Inc.'s corporate
27 Headquarters and Executive Officers were and are located in Ephrata, Washington.

28 ///

5. At all times material hereto, Basin Tree Service & Pest Control, Inc.'s managerial and policymaking functions, including, but not limited to, finance, marketing, merchandising, legal, technology services, human resources, and property development, were and are performed at and promulgated from Basin Tree Service & Pest Control, Inc.'s headquarters in Washington.

I declare under penalty of perjury under the laws of the United States and the State of Nevada that the foregoing is true and correct, and if called upon to testify to the facts thereto, I could and would do so competently.


JOSEPH WHALEN

-2-